

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14188 of 2025

Arising Out of PS. Case No.-1118 Year-2024 Thana- BIHTA District- Patna

Bhim Kumar @ Bhim Ray Son of Viteshwar Ray @ Biteshwar Rai Resident
of Village - Mustafapur, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh
For the Opposite Party/s : Mr.Madhuri Lata

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State

2. The petitioner apprehends his arrest in connection
with Bihta P.S Case No. 1118 of 2024 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 1170 litre of
Mahua liquor has been recovered from the animal Shed of
Gandhi Kumar.

4. Learned counsel for the petitioner submits that
petitioner has been falsely been implicated in this case. It is next
submitted that petitioner has got no criminal antecedent as
stated in para 3 of the bail petition. It is submitted that only on



the basis of disclosures made by the chowkidar as well as local people of the vicinity, the petitioner has been made accused in this case merely on the basis of suspicion. It is further submitted that the petitioner was not arrested at the spot and that nothing has been recovered either from their conscious possession or from their house rather the said illicit liquor was recovered from the cow shed of co-accused Gandhi Kumar. It is also submitted that the petitioner has no connection with the said liquor or the cow shed, which belongs to co-accused Gandhi Kumar. Further submission is that a similarly situated co-accused, namely Guddu Kumar, has been granted anticipatory bail by this court vide order dated 06-03-2025, passed in Cr. Misc. No. 9340 of 2025 and order dated 26.03.2025, passed in Cr. Misc. No. 18262 of 2025.

5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Court of Special Excise Judge, Danapur
in connection with Bihta P.S Case No. 1118 of 2024 subject to
the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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